

H.R. 3136

STORE Nuclear Fuel Act

Storage and Transportation of Residual and Excess Nuclear Fuel Act

Background:

Approximately 80,000 metric tons of commercial spent nuclear fuel (SNF) is stored all over the country, largely at the reactor sites where it was generated. This is primarily due to a failure on the part of the federal government to provide a timely disposal solution as laid out in the Nuclear Waste Policy Act (NWPA). As a result, the government has been found to be in partial breach of contract to remove SNF and has been using taxpayer dollars for years to pay companies for expenditures they have incurred while storing these materials. The Department of Energy (DOE) estimates that this amount could reach or exceed \$30.8 billion, assuming it is in a position to begin meeting its obligations to manage SNF.

In addition to this wasteful use of taxpayer dollars, the current status quo is not the safest and most reliable system for storing SNF. As spent fuel accumulates at the sites where it is generated, many operators continue to store it in cooling pools, resulting in a volume of SNF stored in pools that exceeds the designed capacity. Some fuel at these sites has been moved to dry-cask storage, but nuclear reactor sites were never designed for long-term storage in either manner, which poses logistical and possible safety concerns in the long run. Given controversy and delays in licensing and constructing a permanent disposal site, the best and safest solution is to develop one or more consolidated storage facilities designed for this purpose.

Finally, it is impossible for these communities to redevelop these sites, resulting in a loss of real-estate value and community improvement opportunities for our constituents. For example, despite concerted efforts by the Sacramento Municipal Utility District (SMUD) to redevelop land surround Rancho Seco, a decommissioned nuclear plant they own, approximately 54 acres remain impossible to redevelop because of operational support needs for the stranded fuel still onsite. Additionally, a plant currently being decommissioned in Zion, Illinois rests on the city's only property on Lake Michigan and has led to a loss of millions of dollars in real-estate value while nuclear waste continues to remain at that site.

Both the Obama and Trump Administrations have supported efforts in to develop a program at DOE to establish and fund sites for interim storage, including in the most recent FY2020 Budget Request. It is time to stop wasting taxpayer money and establish a safe and reliable solution to move spent nuclear fuel out of our districts to consolidated interim storage locations.

The STORE Nuclear Fuel Act:

- Allows DOE to take title of commercial SNF in order to facilitate the transfer of the material from reactor sites to be stored consolidated interim storage (CIS) locations
- Allows for these CIS sites to be developed either by a private entity or by the Department of Energy, with prioritization given to the private sector unless DOE can demonstrate that it is able to develop a site in a more cost-effective manner than a private company
- Creates a process for developing an interim storage site that will be built on consent-based agreements with affected tribes, state, and local governments
- Allows costs for cooperative agreements and DOE licensing activities to be covered by interest